

IN RE: PETITION FOR ADMIN. VARIANCE	*	BEFORE THE
W/S of Monkton Farms Drive,		
1500' W of centerline of Corbett Road	*	DEPUTY ZONING COMMISSIONER
10 th Election District		
3 rd Councilmanic District	*	OF BALTIMORE COUNTY
(1736 Monkton Farms Drive)		
	*	CASE NO. 99-526-A
Thomas & Kathy Hammel		
Petitioners	*	

* * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before this Deputy Zoning Commissioner as a petition for administrative variance filed by the legal owners of the subject property, Thomas & Kathy Hammel. The variance request is for property located at 1736 Monkton Farms Drive, located in the Monkton area of Baltimore County. The Petitioners herein seek a variance from Section 400.2 to permit a height of 22 ft. in lieu of the required 15 ft. for a detached accessory structure (garage). The subject property and requested relief are more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition for Administrative Variance.

The Petitioners having filed a Petition for Administrative Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioners have filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Deputy Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioners.

COMPLETED BY: [Signature]
 DATE: 8/13/99
 BY: [Signature]

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 3rd day of August, 1999 that a variance from Section 400.2 to permit a height of 22 ft. in lieu of the required 15 ft. for a detached accessory structure (garage), be and is hereby GRANTED, subject, however, to the following restriction which is a condition precedent to the relief granted herein:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.


TIMOTHY M. KOTROCO
DEPUTY ZONING COMMISSIONER
FOR BALTIMORE COUNTY

TMK:raj

RECEIVED
8/13/99
R. J. Jamison



Baltimore County
Zoning Commissioner

Suite 405, County Courts Bldg.
401 Bosley Avenue
Towson, Maryland 21204
410-887-4386
Fax: 410-887-3468

August 4, 1999

Mr. & Mrs. Thomas Hammel
1736 Monkton Farms Drive
Monkton, Maryland 21111

Re: Petition for Administrative Variance
Case No. 99-526-A
Property: 1736 Monkton Farms Drive

Dear Mr. & Mrs. Hammel:

Enclosed please find the decision rendered in the above-captioned case. The Petition for Administrative Variance has been granted in accordance with the enclosed Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days from the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our appeals clerk at 410-887-3391.

Very truly yours,

A handwritten signature in dark ink, appearing to read "Timothy M. Kotroco".

Timothy M. Kotroco
Deputy Zoning Commissioner

TMK:raj
Enclosure

Come visit the County's Website at www.co.ba.md.us



Printed with Soybean Ink
on Recycled Paper



Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 1736 MONKTON FARMS DR.
which is presently zoned RC 4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.2 TO PERMIT A

HEIGHT OF 22 FT. IN LIEU OF 15 FT. FOR A
DETACHED ACCESSORY STRUCTURE,

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.

I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print

Signature

Address

Telephone No.

City State Zip Code

Attorney For Petitioner:

Name - Type or Print

Signature

Company

Address

Telephone No.

City State Zip Code

Legal Owner(s):

THOMAS E. HAMMEL

Name - Type or Print

Thomas E. Hammel

Signature

KATHY J. HAMMEL

Name - Type or Print

Kathy J. Hammel

Signature

1736 MONKTON FARMS DR.

Address

MONKTON MD 21111

City

State

Zip Code

Representative to be Contacted:

THOMAS E. HAMMEL

Name

1736 MONKTON FARMS DR.

Address

MONKTON

City

MD

State

21111

Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this 99 day of June that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-526

REU 9/15/98

Reviewed By SRQ

Date 6-28-99

Estimated Posting Date 7-11-99

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

That the Affiant(s) does/do presently reside at 1736 MONKTON FARMS DRIVE
Address
MONKTON MD 21111
City State Zip Code

That based upon personal knowledge, the following are the facts upon which I/we base the request for an Administrative Variance at the above address (indicate hardship or practical difficulty):

REQUEST VARIANCE FROM 15 FOOT ROOF PEAK HEIGHT REQUIREMENT FOR PROPOSED DETACHED GARAGE BUILDING:

- PROPOSED GARAGE IS 34' X 32',
- COMMUNITY COVENANT REQUIRES 8/12 ROOF PITCH
- 34' GARAGE WIDTH & 8/12 ROOF PITCH GIVES 11.33' ROOF RISE
- DESIRED 10' CEILING HEIGHT PLUS 11.33' RISE GIVES MAX. ROOF PEAK HEIGHT OF 21.33'.
- 2 STORY HOUSE ROOF PEAK HT. IS WELL OVER 30'.
- GARAGE WILL BE BEHIND, BELOW HOUSE AND IN HEAVILY WOODED LOCATION.

That the Affiant(s) acknowledge(s) that if a formal demand is filed, Affiant(s) will be required to pay a reposting and advertising fee and may be required to provide additional information.

Thomas E. Hammel
Signature

THOMAS E. HAMMEL
Name - Type or Print

Kathy J. Hammel
Signature

KATHY J. HAMMEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas E. Hammel & Kathy J. Hammel
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 24 1999
Date

Robert J. Freeman
Notary Public

My Commission Expires 8-1-01

Affidavit in Support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows: That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

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Address
MONKTON MD 21111
City State Zip Code

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Thomas E. Hammel
Signature

THOMAS E. HAMMEL
Name - Type or Print

Kathy J. Hammel
Signature

KATHY J. HAMMEL
Name - Type or Print

STATE OF MARYLAND, COUNTY OF BALTIMORE, to wit:

I HEREBY CERTIFY, this 24 day of May, 1999, before me, a Notary Public of the State of Maryland, in and for the County aforesaid, personally appeared

Thomas E Hammel and Kathy J Hammel
the Affiant(s) herein, personally known or satisfactorily identified to me as such Affiant(s), and made oath in due form of law that the matters and facts hereinabove set forth are true and correct to the best of his/her/their knowledge and belief.

AS WITNESS my hand and Notarial Seal

May 24, 1999
Date

Charles Lee Freeman
Notary Public

My Commission Expires 8-1-01



Petition for Administrative Variance to the Zoning Commissioner of Baltimore County

for the property located at 1736 MONKTON FARMS DR.
which is presently zoned RC4

This Petition shall be filed with the Department of Permits and Development Management. The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 400.2 To Permit A Height
OF 22 FT. IN LIEU OF 15 FT. FOR A DETACHED ACCESSORY STRUCTURE

of the zoning regulations of Baltimore County, to the zoning law of Baltimore County, for the reasons indicated on the back of this petition form.

Property is to be posted and advertised as prescribed by the zoning regulations.
I, or we, agree to pay expenses of above Variance, advertising, posting, etc. and further agree to and are to be bounded by the zoning regulations and restrictions of Baltimore County adopted pursuant to the zoning law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

Name - Type or Print _____
Signature _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Attorney For Petitioner:

Name - Type or Print _____
Signature _____
Company _____
Address _____ Telephone No. _____
City _____ State _____ Zip Code _____

Legal Owner(s):

THOMAS E. HAMMEL
Name - Type or Print _____
Thomas E. Hammel
Signature _____
KATHY J. HAMMEL
Name - Type or Print _____
Kathy J. Hammel
Signature _____
1736 MONKTON FARMS DR 410 472 4546-H
Address Telephone No. 410 771 6600-W
MONKTON MD 21111
City State Zip Code

Representative to be Contacted:

THOMAS E. HAMMEL
Name _____
1736 MONKTON FARMS DR 410 472 4546
Address Telephone No. _____
MONKTON MD 21111
City State Zip Code

A Public Hearing having been formally demanded and/or found to be required, it is ordered by the Zoning Commissioner of Baltimore County, this _____ day of _____, that the subject matter of this petition be set for a public hearing, advertised, as required by the zoning regulations of Baltimore County and that the property be reposted.

Zoning Commissioner of Baltimore County

CASE NO. 99-526-A

RD 9/15/98

Reviewed By SPJ Date 6-28-99

Estimated Posting Date 7-11-99

99-526-A

Zoning Description for 1736 Monkton Farms Drive

Beginning at a point on the West side of Monkton Farms Drive which is 40 feet wide at the distance of approximately 1500 feet West of the centerline of the nearest intersecting street, Corbett Rd., which is 60 feet wide. Being lot # 31, in the subdivision of Monkton Farms as recorded in the Baltimore County Plat Book # SM no. 61, Folio # 147, containing 6.06 acres. Also known as 1736 Monkton Farms Drive and located in the 10th election District, 3rd Councilmanic District.

99-526-A ..

BALTIMORE COUNTY, MARYLAND
OFFICE OF BUDGET & FINANCE
MISCELLANEOUS RECEIPT

995267
No. 070411

DATE 6-28-99 ACCOUNT R-CC16150

AMOUNT \$ 50.00

RECEIVED FROM: Tom Hammer

FOR: Admin. Res. Vargence
TOTAL \$50

DISTRIBUTION
WHITE - CASHIER

PINK - AGENCY

YELLOW - CUSTOMER

5077

PAID RECEIPT

PROCESS ACTION TIME
6/28/1999 6/28/1999 11:47:27
REG # 4806 CASHIER NOTE RES INQUIRY 5
Dep't 5 528 ZONING VERIFICATION
Receipt # 108872
CR NO. 070411

Receipt Tot 50.00
50.00 OK
Baltimore County, Maryland

CASHIER'S VALIDATION

CERTIFICATE OF POSTING

RE: Case No.: 99-526-A

Petitioner/Developer: _____

THOMAS E. HAMMEL

Date of Hearing/Closing: 7/26/99

Baltimore County Department of
Permits and Development Management
County Office Building, Room 111
111 West Chesapeake Avenue
Towson, MD 21204

Attention: Ms. Gwendolyn Stephens

Ladies and Gentlemen:

This letter is to certify under the penalties of perjury that the necessary sign(s) required by law
were posted conspicuously on the property located at _____

1736 MONKTON FARMS DR.

The sign(s) were posted on 7/11/99
(Month, Day, Year)

Sincerely,

Richard E. Hoffman 7/11/99
(Signature of Sign Poster and Date)

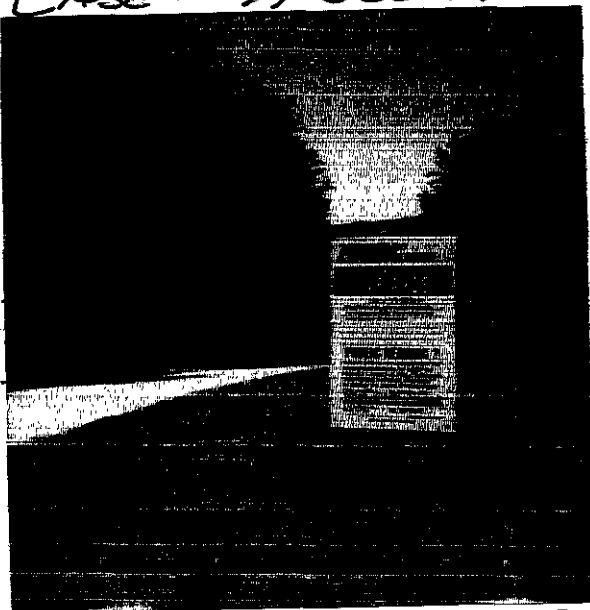
RICHARD E. HOFFMAN
(Printed Name)

904 DELLWOOD DR.
(Address)

FALLSTON, MD. 21047
(City, State, Zip Code)

(410) 879-3122
(Telephone Number)

CASE # 99-526-A



1736 MONKTON FARMS DR

POSTED 7/11/99

Richard E. Hoffman 7/11/99

ADMINISTRATIVE VARIANCE INFORMATION SHEET AND DATES

Case Number 99- 526 -A Address 1736 Monkton Farms Rd.
Contact Person: JOHN R. ALEXANDER Phone Number: 410-887-3391
Planner, Please Print Your Name
Filing Date: 6-28-99 Posting Date: 7-11-99 Closing Date: 7-26-99

Any contact made with this office regarding the status of the administrative variance should be through the contact person (planner) using the case number.

1. **POSTING/COST:** The petitioner must use one of the sign posters on the approved list (on the reverse side of this form) and the petitioner is responsible for all printing/posting costs. Any reposting must be done only by one of the sign posters on the approved list and the petitioner is again responsible for all associated costs. The zoning notice sign must be visible on the property on or before the posting date noted above. It should remain there through the closing date.
2. **DEADLINE:** The closing date is the deadline for an occupant or owner within 1,000 feet to file a formal request for a public hearing. Please understand that even if there is no formal request for a public hearing, the process is not complete on the closing date.
3. **ORDER:** After the closing date, the file will be reviewed by the zoning or deputy zoning commissioner. He may: (a) grant the requested relief; (b) deny the requested relief; or (c) order that the matter be set in for a public hearing. You will receive written notification (typically within 7 to 10 days of the closing date) as to whether the petition has been granted, denied, or will go to public hearing. The order will be mailed to you by First Class mail.
4. **POSSIBLE PUBLIC HEARING AND REPOSTING:** In cases that must go to a public hearing (whether due to a neighbor's formal request or by order of the zoning or deputy zoning commissioner), notification will be forwarded to you. The sign on the property must be changed giving notice of the hearing date, time and location. As when the sign was originally posted, certification of this change and a photograph of the altered sign must be forwarded to this office.

(Detach Along Dotted Line)

Petitioner: This Part of the Form is for the Sign Poster Only

USE THE ADMINISTRATIVE VARIANCE SIGN FORMAT

Case Number 99- 526 -A Address 1736 Monkton Farms Rd.
Petitioner's Name THOMAS HAMMER Telephone 410-472-4546
Posting Date: 7-11-99 Closing Date: 7-26-99
Wording for Sign: To Permit A HEIGHT OF 22 FT. W/ LEW OF 15 FT
TO A DETACHED ACCESSORY STRUCTURE.



Baltimore County
Department of Permits and
Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204
pdmlandacq@co.ba.md.us

July 29, 1999

Mr. & Mrs. Thomas E. Hammel
1726 Monkton Farms Drive
Monkton, MD 21111

Dear Mr. & Mrs. Hammel:

RE: Case No.: 99-526-A, Petitioner: Mr. & Mrs. Hammel,
Location: 1736 Monkton Farms Drive

The above referenced petition was accepted for processing by the Bureau of Zoning Review, Department of Permits and Development Management (PDM), on June 28, 1999.

The Zoning Advisory Committee (ZAC), which consists of representatives from several Baltimore County approval agencies, has reviewed the plans that were submitted with your petition. All comments submitted thus far from the members of the ZAC are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to ensure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. All comments will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency.

Very truly yours,

A handwritten signature in dark ink, appearing to read "W. Carl Richards, Jr.", is written over a horizontal line.

W. Carl Richards, Jr.
Zoning Supervisor
Zoning Review

WCR:ggs

Enclosures

Come visit the County's Website at www.co.ba.md.us



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on Recycled Paper



Baltimore County
Fire Department

700 East Joppa Road
Towson, Maryland 21286-5500
410-887-4500

July 21, 1999

Arnold Jablon, Director
Zoning Administration and Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF JULY 19, 1999

Item No.: See Below Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS:

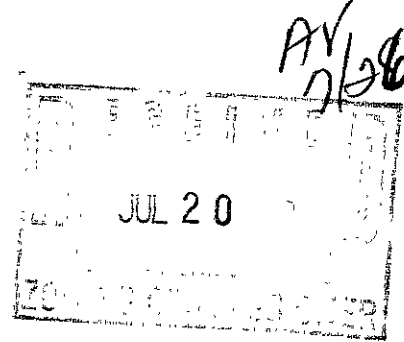
525, (526), 528, 529, 531, 532, 002, 003, 004, 007, 008,
009, 010, 011, 012, AND 013.

REVIEWER: LT. ROBERT P. SAUERWALD
Fire Marshal Office, PHONE 887-4881, MS-1102F
cc: File

Come visit the County's Website at www.co.ba.md.us



BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE



TO: Arnold Jablon, Director
Department of Permits
and Development Management

Date: July 20, 1999

FROM: Arnold F. 'Pat' Keller, III, Director
Office of Planning

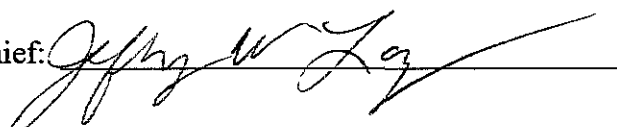
SUBJECT: Zoning Advisory Petitions

ITEM NO. 526

The Office of Planning supports the applicant's request subject to the following condition:

The petitioners or subsequent owners shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The structure shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.

If there should be any questions or this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 410-887-3480.

Section Chief: 

AFK/JL



Maryland Department of Transportation
State Highway Administration

Parris N. Glendening
Governor
John D. Porcari
Secretary
Parker F. Williams
Administrator

Date: 7.20.99

Ms. Gwen Stephens
Baltimore County Office of
Permits and Development Management
County Office Building, Room 109
Towson, Maryland 21204

RE: Baltimore County
Item No. 526 JRA

Dear Ms Stephens:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Should you have any questions regarding this matter, please contact Larry Gredlein at 410-545-5606 or by E-mail at (lgredlein@sha.state.md.us).

Very truly yours,

for Michael M. Lenhart, Chief
Engineering Access Permits Division

My telephone number is _____

Maryland Relay Service for Impaired Hearing or Speech
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717
Street Address: 707 North Calvert Street • Baltimore, Maryland 21202

SHEET N.

N 98,000

PRIVATE

RD

RD

N 97,000

N 630,000

R.C. 4

N 96,000

E 909,000

E 1,500

99-526-A
DD-NE EE-NW

NE 25-A

1996 COMPREHENSIVE ZONING
ADOPTED by
THE BALTIMORE COUNTY CO.



99.526-A



99-526-A



99-526-A



99-526-A



PREPARED BY AIR PHOTOGRAPHICS, INC.
MARTINSBURG, W.V. 25401

79-5269
501

BALTIMORE COUNTY
OFFICE OF PLANNING AND ZONING
PHOTOGRAPHIC MAP

SCALE		LOCATION		SHEET	
1" = 200' ±		EAST OF		N. E.	
DATE OF PHOTOGRAPHY JANUARY 1986		CORBETT		25-A	

